

crimes committed. In his critical analysis of the statistics the author considers the various factors which must be taken into account for their correct interpretation. He discusses the unavoidable discrepancies in the statistics and their limitations, and he reminds us of their levelling tendency ; a matter which is recognized in the official publications. For example, the Criminal Statistics, 1933, point out that "in these statistics the theft of a bottle of ginger-beer has the same numerical value as the robbery of a jeweller's shop."

The author discusses unemployment and strikes in an interesting chapter. He considers that where unemployment and crime both stand at a high level it can be safely assumed that the latter is largely due to the former, and where the crime figures remain low in spite of much unemployment certain factors are at work which counterbalance its evil effects. He also considers that the connection between unemployment and crime is probably much closer in the case of the recidivist than in that of the first offender.

It seems that the author, like many others, is dissatisfied with the present method of dealing with the more serious cases of habitual alcoholism, and he suggests the introduction of separate institutions under special legal provisions for this class of social offender.

About one quarter of the book deals with juvenile delinquency, and much of this section is based upon the official records of 606 boys and 411 girls who have undergone a period of detention in a Borstal institution. Many of the factors referred to have been considered in an official investigation which has been carried out at Wormwood Scrubs Prison over many years on 4,000 lads from the London area and is to be published shortly. Dr. Mannheim's study, however, deals largely with individual offenders and his extracts from the reports of social workers, medical officers and governors are apt and instructive.

Other chapters deal with methods of business administration, gambling, female delinquency and prostitution, and recidivism. The reviewer, who is the only surviving member of the team engaged in the anthro-

pometrical survey in English prisons which led to Goring's publication on the English Convict, was somewhat alarmed to read in Dr. Mannheim's chapter on recidivism that Goring's work was published over a century ago. In fact the investigation commenced at the beginning of the present century and was published shortly before the War of 1914-18, as stated by the author in his Introduction.

This slip serves to throw into strong relief the meticulous care which has been exercised generally in compiling the book. The large amount of material is set out in a clear and concise form, and although the volume is essentially a work for the expert criminologist and sociologist it should make a wide appeal to others who desire to have readily available an authoritative view of the various problems dealt with. Dr. Mannheim is to be heartily congratulated upon his work, and the publishers for the manner of its presentation.

W. NORWOOD EAST.

SEX

Craig, Alec. *Above all Liberties.* London, 1942. George Allen and Unwin. Pp. 205. Price, 7s. 6d.

THE title of Mr. Craig's book falls pleasantly on the ear in these days when so many of our liberties have had to go into cold storage "for the duration," and reformers on all hands are devising Planned Economies and New Orders, in none of which has individual liberty any place or part. Here, at least, is someone who has some interest in liberty. But it is not with liberty in general that our author is concerned, but with a particular aspect of it ; the liberty to write, print, and publish works in which sexual matters are freely dealt with, and which tend to come into conflict with the rather obscure law of obscene libel. His aim and desire is to secure for authors and publishers of such works the minimum of control or, even, no control at all.

The problem, however, has no obvious solution. Blackstone and other jurists have dwelt on the inevitable limitations of liberty in an ordered society, and Herbert Spencer laid down very clearly the principle govern-

ing those limitations. In a society of men, liberty is possible only up to that point at which the exercise of one man's liberty interferes with the liberties of his fellows. The principle is quite simple ; but its application presents almost insuperable difficulties. To take the thesis of the present book. Few will deny that the publication of an outrageously lewd and obscene work is a public nuisance, an offence to decent men and women and therefore an infringement of their liberties. But how is the character of such a work to be determined and who is to decide ? There is no definite test which can be impartially applied to any given work, for the Cockburn definition, even if it were good law, still leaves the question of obscenity largely a matter of opinion. Sexual literature forms a graded series from the undeniable pornograph up to the merely outspoken and realistic work which would hardly offend the most straitlaced. The problem is to place a particular work in its true position in the series, to decide whether its character is, or is not, such that its publication would be an offence to the ordinary decent men and women of whom the public is chiefly composed. This the author realizes and, in the final chapter, "The problem of Pornography," he discusses it fully, and, on the whole, fairly and reasonably, though with a tendency to interpret the word in a somewhat restricted sense.

The interest for the average reader of the issue which the author argues so ingeniously and persuasively would probably be not intense ; but apart from its main purpose, or serving as a vehicle for it, the book contains much interesting and curious matter which is rendered more attractive by the lively and pleasant manner in which it is presented. In Chapter 1, "Merry England," the views held upon obscenity in the past are traced from the Middle Ages with illustrative instances, including the exploits of the notorious Sir Charles Sedley. A chapter is devoted to "The Unspeakable Curll," the disreputable eighteenth-century bookseller ; and in Chapter 4 is a biographical sketch of

Havelock Ellis which will greatly please those who have enjoyed the friendship of that wise and lovable man ; and an account of the troubles that befell in connection with his great work, "Studies in the Psychology of Sex." Chapter 5, "The Strange case of Count Potocki of Montalk," will be read with interest, even if the author's sympathy with that misguided crank is not shared by the reader ; and the accounts of the state of the law and public opinion in the United States and in France are admirably done and may be, in the latter case especially, a little surprising to the English reader.

To come back to the main thesis of the book, one feels that Mr. Craig has not made out a very convincing case. After all, the printing and publishing of sexual and possibly obscene matter is a public act and, as such, must be under some sort of public control. But "The Public" is a heterogeneous body including all sorts and conditions of men, from the Holy Willies who prowl about the London parks on summer evenings in the supposed interests of morality, stalking the unreticent courting couples, to men like Count Potocki, who suffer from a sort of literary exhibitionism which impels them to write and print obscene verses and to use words and phrases not customarily employed by decent persons. And between these extremes is the great mass of decent-minded men and women who read literary works for their interest and not for purposes of sexual stimulation. It is not clear that there is any considerable demand for works of a pornographic or strongly sexual character ; and there certainly are large numbers of persons to whom the publication and distribution of such matter would be offensive and distressing.

Thus we are left with the unsolved problem : what amount of freedom of speech in regard to sexual matters is permissible, and at what point is it necessary in the public interest for control to be exercised ? Perhaps the study of Mr. Craig's interesting and readable book may help some inquirers to a solution.

R. AUSTIN FREEMAN.